

IN RE: PETITION FOR ADMIN. VARIANCE	* BEFORE THE
N/S Greenspring Avenue, 330' W	
of the c/l of Dover Road	* ZONING COMMISSIONER
(12311 Greenspring Avenue)	
8th Election District	* OF BALTIMORE COUNTY
3rd Councilmanic District	
	* Case No. 96-125-A
Rodney G. Matthews, et ux	
Petitioners	*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 12311 Greenspring Avenue, located in the vicinity of Worthington Avenue in the Chestnut Ridge community in Owings Mills. The Petition was filed by the owners of the property, Rodney G. and Rosemary Ann Matthews. The Petitioners seek relief from Sections 1A04.3.B.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (carport) with a side yard setback of 18.5 feet in lieu of the minimum required 37.5 feet. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits

ORDER RECEIVED FOR FILING

Date

By

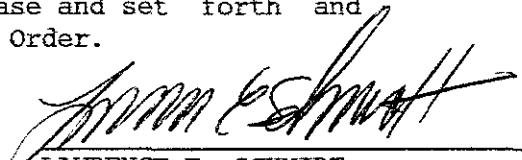
10/26/95  
1260

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of October, 1995 that the Petition for Administrative Variance seeking relief from Sections 1A04.3.B.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (carport) with a side yard setback of 18.5 feet in lieu of the minimum required 37.5 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed carport shall not be enclosed for any reason and shall remain open on the three exposed sides.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING  
Date 10/26/95  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

October 26, 1995

Mr. & Mrs. Rodney G. Matthews  
12311 Greenspring Avenue  
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
N/S Greenspring Avenue, 380' W of the c/l of Dover Road  
(12311 Greenspring Avenue)  
8th Election District - 3rd Councilmanic District  
Rodney G. Matthews, et ux - Petitioners  
Case No. 96-125-A

Dear Mr. & Mrs. Matthews:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: People's Counsel

File





# Petition for Administrative Variance

96-125-A

## to the Zoning Commissioner of Baltimore County

for the property located at 12311 Greenspring Avenue, Owings Mills, 21117

which is presently zoned Residential

RC5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3 & 301.1A

To allow an open projection (carport) with a side yard setback of 18.5 feet in lieu of the required 37.5 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- Vehicle Parking
- Protection in winter from ice and snow

REF ATTACHMENT #1

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

Rodney G. Matthews

(Type or Print Name)

Signature

Signature

Address

Rosemary Ann Matthews

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner:

12311 Greenspring Avenue 410-252-8542

Address

Phone No.

(Type or Print Name)

Owings Mills MD 21117

City

State

Zipcode

Signature

Name, Address and phone number of representative to be contacted, if any

Address

Phone No.

Name

City

State

Zipcode

Address

Phone No.

Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

MICROFILM

Zoning Commissioner of Baltimore County

REVIEWED BY: JS

DATE: 9-29-95

ESTIMATED POSTING DATE: 10-8-95

Printed with Soybean Ink  
on Recycled Paper

ITEM #: 144

ORDER RECEIVED FOR FILING

Date

BY

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 12311 Greenspring Avenue,  
address  
Owings Mills MD 21117  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

- Vehicle parking
- Protection in winter from ice and snow

REF ATTACHMENT #1

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Rodney G. Matthews  
(signature)

Rodney G. Matthews  
(type or print name)



Rosemary Ann Matthews  
(signature)

Rosemary Ann Matthews  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of September, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Rodney G. Matthews ; Rosemary Ann Matthews

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9/25/95  
date

Michelle Booley-Smith  
NOTARY PUBLIC

My Commission Expires: 11/17/97

NOTARIAL

ATTACHMENT #1

96-125-A

**WE ARE REQUESTING A PERMIT TO ADD A CARPORT TO OUR HOUSE  
FOR THE FOLLOWING REASONS.**

**WE NEED COVER FOR OUR THIRD VEHICLE.**

**IN THE WINTER MONTHS WHEN WE HAVE ICE AND SNOW WE HAVE  
HAD GREAT DIFFICULTY GETTING TO THE VEHICLES. AS WE ARE IN  
OUR MID TO LATE FIFTIES, IT IS TIME TO CONSIDER SAFETY REASONS  
TOO.**

# 144

ZONING DESCRIPTION

96-125-A

ZONING DESCRIPTION FOR 12311 GREENSPRING AVENUE, OWINGS MILLS,  
MARYLAND, 21117 BEGINNING AT A POINT ON THE NORTH SIDE OF  
GREENSPRING AVENUE WHICH IS 100 FEET WIDE AT THE DISTANCE OF <sup>380'</sup>~~550'~~  
FEET WEST OF THE CENTERLINE OF THE NEAREST IMPROVED  
INTERSECTING STREET DOVER ROAD CONTAINING THREE QUARTERS (3/4)  
ACRES

ALSO KNOWN AS 12311 GREENSPRING AVENUE, OWINGS MILLS,  
MARYLAND, 21117 AND LOCATED IN THE 8TH. ELECTION DISTRICT, 3RD  
COUNCILMANIC DISTRICT.

# 144

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY** 96-125-A  
Towson, Maryland

District 205

Date of Posting 10/6/95

Posted for: Variance

Petitioner: Rodney & Rosemary Matthews

Location of property: 17311 Greenspring Ave

Location of Signs: Facing road way on property being zoned

Remarks: \_\_\_\_\_

Posted by M. Shetty

Signature

Date of return: 10/13/95

Number of Signs: 1





BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

000155

DATE 7/29/95 ACCOUNT R-001-C15-000

96-125-A

AMOUNT \$ 85.00

RECEIVED FROM: Matthews  
OIO -- VARIANCE -- 50.00 ITEM # 144  
C&O -- SIGN -- 35.00  
FOR: TAKEN BY: JRF

85.00  
03A03#0009MICHRC \$85.00  
BA 0002:47PM09-29-95

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 144 Petitioner: Rodney & Ann Matthews

Location: 12311 Greenspring Ave, Owings Mills, MD 21117

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Rodney Matthews

ADDRESS: 12311 Greenspring Ave.  
Owings Mills, MD. 21117

PHONE NUMBER: 410-252-8542



# Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: \_\_\_\_\_

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: \_\_\_\_\_

plat book # \_\_\_\_\_, folio # \_\_\_\_\_, lot # \_\_\_\_\_, section # \_\_\_\_\_


OWNER: \_\_\_\_\_



North

date: \_\_\_\_\_  
prepared by: \_\_\_\_\_

Scale of Drawing: 1" = \_\_\_\_\_

 Vicinity Map  
North  
scale: 1" = 1000'

## LOCATION INFORMATION

Election District: \_\_\_\_\_

Councilmanic District: \_\_\_\_\_

1" = 200' scale map #: \_\_\_\_\_

Zoning: \_\_\_\_\_

Lot size: \_\_\_\_\_  
acreage      square feet

public private  
SEWER: ☐ ☐  
WATER: ☐ ☐

yes no  
Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: \_\_\_\_\_

## Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE #: \_\_\_\_\_



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 6, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-125-A (Item 144)  
12311 Greenspring Avenue  
N/S Greenspring Avenue, 380' +/- W of c/l Dover Road  
8th Election District - 3rd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before October 8, 1995. The closing date (October 23, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Rodney and Rosemary Matthews



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 17, 1995

Mr. and Mrs. Rodney G. Matthews  
12311 Greenspring Avenue  
Owings Mills, Maryland 21117

RE: Item No.: 144  
Case No.: 96-125-A  
Petitioner: R. G. Matthews, et ux

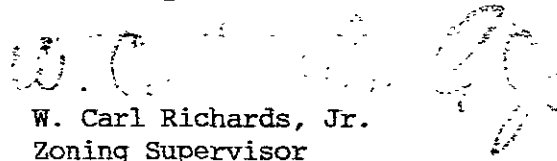
Dear Mr. and Mrs. Matthews:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 29, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: October 4, 1995

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 123, 124, 125, 126, 131, 136, 137, 138, 140, 142, 143, and 144.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Caryl Kerns*

PK/JL

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/11/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF OCT. 10, 1995.

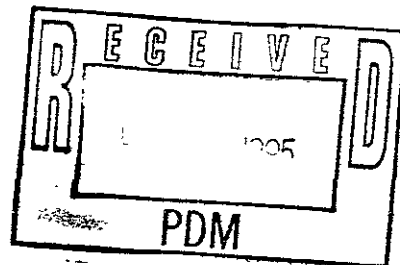
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 135, 136, 137, 138, 139,  
140, 141, 142 AND 144. 8



REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

10-10-95

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 144 (JRF)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202





12311 Green-  
spring Ave.  
Rodney & Ann  
Mathews.  
Proposed site  
Boundary line.



Front view.  
# 144



Front view  
boundary line  
marked on  
right hand side  
Proposed site  
to cover truck

Mr. Arnold Jablon, Director  
October 4, 1995  
Page 2

However, Lot No. 79 was not included on the Chart as receiving Variance 'D', which read as follows:

Variance 'D'

Variance from Section V.B.6.b, C.M.D.P. pursuant to Section 504. B.C.Z.R. to allow a window setback as close as 12 feet from side building face and, if necessary, 10 foot from bay window face in lieu of 15 foot required window to property line setback.

There are only four end units which did not receive the relief described in Variance 'D'. Of those four, three units do not need the relief of Variance 'D' to include bay windows because they either do not face another unit, or are at such a distance and angle offset from the side of another end unit so as to be able to include a bay window without the relief of Variance 'D'.

Therefore, we conclude that Lot 79 should have received Variance 'D' and it must have been omitted from the request, as an oversight.

We request that you review our request to add Variance 'D' for Lot 79, as it appears to be within the spirit and intent of the Deputy Zoning Commissioner's order issued under Case No. 94-62-A.

We await your response.

96-125-A

Proposed location  
rear view



fence marked XXX  
is on property line  
fence belongs to  
neighbor. grey house  
is neighbor's house.

#144



proposed carport  
to be built as  
extension to this  
end of house.

NW 15-F 1"=200' #144

96-125-A

(SHEET NW.16-F)

W-34,500

W-33,000

W-31,500

R.C. 5 SITE

CHESTNUT RIDGE

AVE.

DOVER

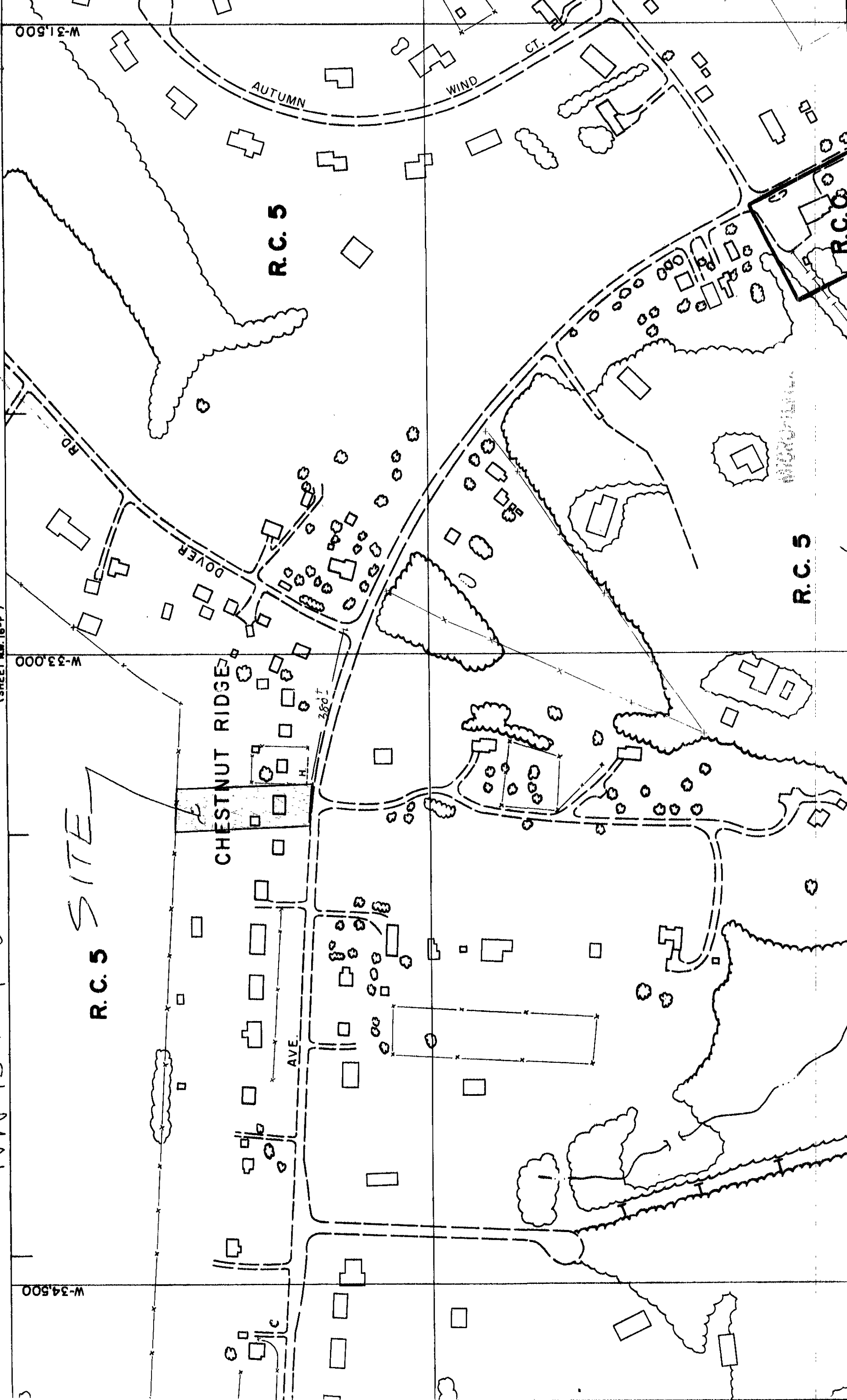
AUTUMN

WIND CT.

R.C. 5

R.C. 5

R.C. 5



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 12311 GREENSPRING AVE OWINGS MILLS

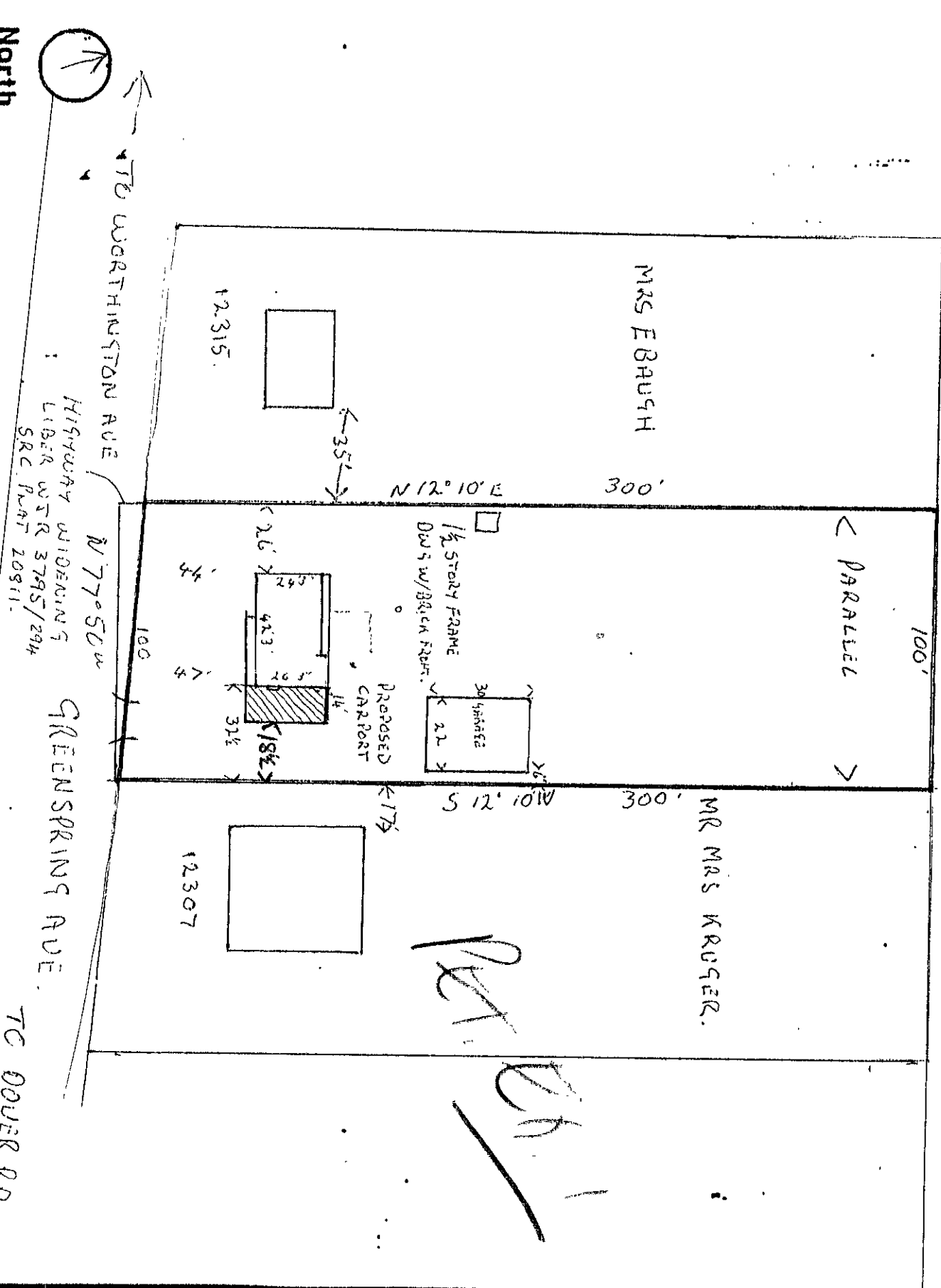
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CHESTNUT RIDGE  
plat book# \_\_\_\_\_, folio# \_\_\_\_\_, lot# \_\_\_\_\_, section# \_\_\_\_\_

OWNER: RODNEY and ANN MATTHEWS

WORTHINGTON GOLF  
CLUB GROUNDS.  
577'50" E

96-125-A



North  
date: 9.26.95  
prepared by: R.M.  
Scale of Drawing: 1" = 50'

LOCATION INFORMATION

Election District: 8TH

Councilmanic District: 320

1"-200' scale map#: NW15.F

Zoning: R.C.S.

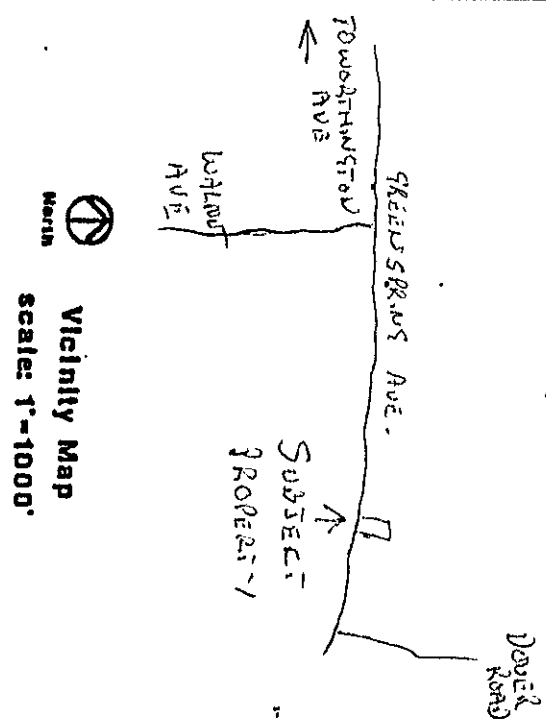
Lot size: 7 acreage 30000 square feet

Public Private  
SEWER: ☐ ☒  
WATER: ☐ ☒  
Chesapeake Bay Critical Area: ☐ ☒  
Prior Zoning Hearings: NO

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

144



IN RE: PETITION FOR ADMIN. VARIANCE  
N/S Greenspring Avenue, 380' W  
of the c/l of Dover Road  
(12311 Greenspring Avenue)  
8th Election District  
3rd Councilmanic District  
Rodney G. Matthews, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-125-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 12311 Greenspring Avenue, located in the vicinity of Worthington Avenue in the Chestnut Ridge community in Owings Mills. The Petition was filed by the owners of the property, Rodney G. and Rosemary Ann Matthews. The Petitioners seek relief from Sections 1A04.3.B.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (carport) with a side yard setback of 18.5 feet in lieu of the minimum required 37.5 feet. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of October, 1995 that the Petition for Administrative Variance seeking relief from Sections 1A04.3.B.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (carport) with a side yard setback of 18.5 feet in lieu of the minimum required 37.5 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed carport shall not be enclosed for any reason and shall remain open on the three exposed sides.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

October 26, 1995

(410) 887-4386

Mr. & Mrs. Rodney G. Matthews  
12311 Greenspring Avenue  
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
N/S Greenspring Avenue, 380' W of the c/l of Dover Road  
(12311 Greenspring Avenue)  
8th Election District - 3rd Councilmanic District  
Rodney G. Matthews, et ux - Petitioners  
Case No. 96-125-A

Dear Mr. & Mrs. Matthews:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: People's Counsel

File

## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12311 Greenspring Avenue, Owings Mills, 21117  
which is presently zoned Residential

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3 & 301.1A to allow an open projection (carport) with a side yard setback of 18.5 feet in lieu of the required 37.5 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- Vehicle Parking
- Protection in winter from ice and snow

REF ATTACHMENT #1

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):

(Type or Print Name)

Signature

Address

City

State

Zipcode

Phone No.

Name

Address

City

State

Zipcode

Phone No.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Rodney G. Matthews

Signature

Rosemary Ann Matthews

Signature

12311 Greenspring Avenue

Owings Mills MD 21117

City State Zipcode

Name

Address

City

State

Zipcode

Phone No.

ORDER RECEIVED FOR FILING  
Date 10/26/95  
By [Signature]

REVIEWED BY: [Signature] DATE: 9-29-95  
ESTIMATED POSTING DATE: 10-28-95

Printed with Soybean Ink on Recycled Paper

ITEM # 144

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereon in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at 12311 Greenspring Avenue, Owings Mills MD 21117

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

- Vehicle parking
- Protection in winter from ice and snow

REF ATTACHMENT #1

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Rodney G. Matthews  
Rosemary Ann Matthews

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of September, 1995, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared

Rodney G. Matthews & Rosemary Ann Matthews

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9/25/95

My Commission Expires: 11/17/97

ATTACHMENT #1 96-125-A

WE ARE REQUESTING A PERMIT TO ADD A CARPORT TO OUR HOUSE FOR THE FOLLOWING REASONS.

WE NEED COVER FOR OUR THIRD VEHICLE.

IN THE WINTER MONTHS WHEN WE HAVE ICE AND SNOW WE HAD GREAT DIFFICULTY GETTING TO THE VEHICLES. AS WE ARE IN OUR MID TO LATE FIFTIES, IT IS TIME TO CONSIDER SAFETY REASONS TOO.

ZONING DESCRIPTION 96-125-A

ZONING DESCRIPTION FOR 12311 GREENSPRING AVENUE, OWINGS MILLS, MARYLAND, 21117 BEGINNING AT A POINT ON THE NORTH SIDE OF GREENSPRING AVENUE WHICH IS 100 FEET WIDE AT THE DISTANCE OF 350' FEET WEST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET DOVER ROAD CONTAINING THREE QUARTERS (3/4) ACRES

ALSO KNOWN AS 12311 GREENSPRING AVENUE, OWINGS MILLS, MARYLAND, 21117 AND LOCATED IN THE 8TH ELECTION DISTRICT, 3RD COUNCILMANIC DISTRICT.

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 8th Date of Posting: 9/16/95

Posted for: Variance

Petitioner: Rodney & Rosemary Matthews

Location of property: 12311 Greenspring Ave

Location of Sign: [Signature] [Signature] on property, being [Signature]

Remarks:

Posted by: [Signature] Date of return: 9/17/95

Number of Signs: 1

BALTIMORE COUNTY, MARYLAND		NO. 002385	
OFFICE OF FINANCE - REVENUE DIVISION			
MISCELLANEOUS CASH RECEIPT			
DATE 9/29/95	ACCOUNT R-001-G15-000		
96-125-A		AMOUNT \$ 85.00	
RECEIVED FROM: Matthews	010 - VARIANCE - 50.00	ITEM # 144	
FOR: 010 - SIGN - 35.00	TAKEN BY: JRF		
85.00			
03A030009M1CHRC		85.00	
8A C002147PH05-29-95			
VALIDATION OR SIGNATURE OF CARRIER			





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 144 Petitioner: Rodney & Ann Matthews  
Location: 12311 Greenspring Ave, Owings Mills, MD 21117  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: Rodney Matthews  
ADDRESS: 12311 Greenspring Ave  
Owings Mills, MD 21117  
PHONE NUMBER: 410-252-8542



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 6, 1995

**NOTICE OF CASE NUMBER ASSIGNMENT**

Re: CASE NUMBER: 96-125-A (Item 144)  
12311 Greenspring Avenue  
8/5 Greenspring Avenue, 380' +/- W of G/I Dover Road  
8th Election District - 3rd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before October 8, 1995. The closing date (October 23, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commission), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon  
Director

cc: Rodney and Rosemary Matthews



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 17, 1995

Mr. and Mrs. Rodney G. Matthews  
12311 Greenspring Avenue  
Owings Mills, Maryland 21117

RE: Item No.: 144  
Case No.: 96-125-A  
Petitioner: R. G. Matthews, et ux

Dear Mr. and Mrs. Matthews:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 29, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.  
Zoning Supervisor

MCR/jw  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: October 4, 1995

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 123, 124, 125, 126, 131, 136, 137, 138, 140, 142, 143, and 144.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Carol Kenna

PK/JL

ITEM123/PZONE/ZAC1

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/11/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

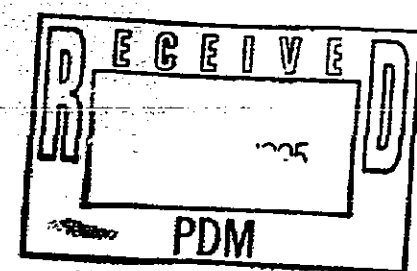
LOCATION: DISTRIBUTION MEETING OF OCT. 10, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 135, 136, 137, 138, 139, 140, 141, 142 AND 144.



REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 144 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202









96-125-A BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	CHESTNUT RIDGE	N.W. 15-F
DATE OF PHOTOGRAPHY JANUARY 1986		

ABC 11-1191